

The Little Traverse Bay Bands of Odawa Indians Tribal Council  
Tribal Court Room 1150 Bayview, Petoskey, MI 49770  
July 7, 2002  
Smudging: 9:15 am  
9:30 am

Executive Session: yes

Call to order: Meeting was called to order at 9:41 am

Council present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony,  
Secretary Fred Harrington Jr., Treasurer Alice Yellowbank, Councilor Janet Shomin,  
Councilor Rita Shananaquet

Council absent: Councilor Beatrice A. Law, excused

Staff present: See attached list

Guests: See attached list

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Motion made by Vice-Chairman George Anthony and supported by Treasurer Alice Yellowbank, to adopt the agenda for July 7, 2002, as amended.

Vote: 5 Yes, 1 No (Councilor Rita Shananaquet), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Treasurer Alice Yellowbank, to approve the minutes of June 23, 2002, as corrected.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony, to accept the Tribal Administrator's written report.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Councilor Janet Shomin, to approve reimbursing the Administration Budget, \$670.00 for rental charges of the Petoskey Middle School Auditorium/cafeteria and support personnel, for the annual community meeting, to come from the Enterprise Fund, cultural line item.

Vote: 4 Yes, 2 No (Councilor Rita Shananaquet, Councilor Janet Shomin), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Janet Shomin, to approve reimbursement of the Education Department Budget \$1400 for the cost of the meal served at the LTBB Community meeting.

Vote: 3 Yes, 3 No (Councilor Rita Shananaquet, Councilor Janet Shomin, Vice-Chairman George Anthony), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion failed

Motion made by Treasurer Alice Yellowbank and supported by Councilor Janet Shomin, to approve reimbursing the Education Department Budget \$2250 for costs of the meal served at the Native American Day held May 2, 2002 at North Central Michigan College to come from the Enterprise Fund, cultural line item.

Vote: 3 Yes, 3 No (Councilor Rita Shananaquet, Councilor Janet Shomin, Vice-Chairman George Anthony), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion failed

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to authorize LTBB Housing Finance Specialist, John Givens as Tribal representative responsible for processing mortgage document(s) applicable to HUD Section 184 mortgages only, the document will be active only when signed by the Tribal Chairman.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Janet Shomin, to approve budget modification for Natural Resources Department Wildlife program increase of \$12,000 Circle of Flight funding which includes the indirect costs paid by the Bureau of Indian Affairs.

Vote: 5 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Fred Harrington Jr., to approve budget modification for Natural Resources Department Fisheries program increase of \$18,000 BIA Hatchery support funding recently awarded for further development of the LTBB Biological station located on Aldridge property.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Rita Shananaquet, to approve budget modification for the copier fund increase of \$15,000 to provide Tribal ownership of our copiers and eliminate rental agreements associated with Van's Business Machines.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to address our move to the new administration building, approve a mass mailing to Tribal Heads of Households, Vendors and other Tribal governments at a cost of \$1,500.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to change the Tribe's address and post office services to Harbor Springs, Michigan.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

10:37 am, recess called

10:46 am, reconvened

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony to accept the Tribal Chairman's verbal and written report.

Vote: 5 Yes, 1 No (Councilor Rita Shananaquet), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet to accept the written reports and correspondence from the Gaming Regulatory Commission.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

11:40 am, Public Comment opened, Eleanor Barber, Gary Shomin, Beverly Wemigwase, Gary Shomin

11:44 am, Public Comment closed.

11:45 am, recessed for lunch until 1:30 pm

1:31 pm, reconvened

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony to move the items for the work session of July 19 to August 3, 2002.

Vote: 6 Yes, No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to conduct a special meeting on July 14, 2002, 9:00 am, to determine whether or not the Gaming Regulatory Commission has overstepped their authority, whether or not the Tribal Council's authority to control commissions has been overstepped, the following to attend, Tribal Council, the Gaming Regulatory commissioners, Albert Colby, Yvonne Salgat, Tim LaCroix, travel lodging and mileage and per diem to be paid.

Vote: 4 Yes, 2 No (Councilor Rita Shananaquet, Councilor Janet Shomin), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet, to direct the Tribal Chairman and the Tribal Administrator and the HR Director to stop

interference in the Gaming Regulatory Commission's responsibilities including staffing issues and to honor the reinstatement of a surveillance employee.

Vote: 2 Yes, 4 No (Treasurer Alice Yellowbank, Vice-Chairman George Anthony, Chairman Gerald V. Chingwa, Secretary Fred Harrington Jr.), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion failed

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Rita Shananaquet, to approve the Environmental Services Section 106 Clean Water Act Continuation Proposal for FY 2003-2004 in the amount of \$192,014.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet, to not accept the request for the small grant in that it does not meet the standard requirements for the Small Grant Application.

Vote: 5 Yes, 1 No (Secretary Fred Harrington Jr.), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Treasurer Alice Yellowbank, to direct the Health Commission to develop criteria to meet the medical needs of Tribal Members who live out side of our Contract Health Service Delivery Area within sixty days.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony, to direct the Tribal Chairman to assign the small grant for LTBB Elder to be resolved by the Tribal Administrator.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Councilor Janet Shomin and supported by Secretary Fred Harrington Jr., to approve Enrollment List A – Eligible for Membership dated June 24, 2002

Vote: 3 Yes, 2 No (Chairman Gerald V. Chingwa, Vice-Chairman George Anthony), 1 Abstained (Councilor Rita Shananaquet), 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Councilor Janet Shomin, to approve Enrollment List B – Declination (Ineligible) dated June 24, 2002.

Vote: 4 Yes, 2 No (Councilor Rita Shananaquet, Chairman Gerald V. Chingwa), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Secretary Fred Harrington Jr., to approve Enrollment List C – Declination (Lack of Documentation) dated June 24, 2002

Vote: 3 Yes, 3 No (Councilor Rita Shananaquet, Councilor Janet Shomin, Chairman Gerald V. Chingwa), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion failed

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to approve the FY 2003 budgets as amended.

Vote: 4 Yes, 2 No (Councilor Rita Shananaquet, Councilor Janet Shomin), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

2:20 pm, recess called

2:45 pm, reconvened

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to enact Waganakising Odawak Statute 2002-04 Indian Preference in Tribal Employment.

Roll Call Vote: Chairman Gerald V. Chingwa- yes, Vice-Chairman George Anthony- yes, Treasurer Alice Yellowbank- yes, Secretary Fred Harrington Jr.- yes, Councilor Janet Shomin- yes, Councilor Rita Shananaquet- yes, Councilor Beatrice A. Law- Absent

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law),

Motion carried

3:02 pm, Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony, to go in to executive session for legal.

Vote: 5 Yes, 1 No (Secretary Fred Harrington Jr.), 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

3:06 pm, Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony, to go out of closed session.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

3:07 pm, Motion made by Vice-Chairman George Anthony and supported by Treasurer Alice Yellowbank, to adjourn.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Beatrice A. Law)

Motion carried

These minutes have been read and approved as written:

Recorded by:

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Fred Harrington Jr., Tribal Secretary

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Date